



1 0 DEC 2007

PILLSBURY WINTHROP SHAW PITTMAN LLP
ATTENTION: DOCKETING DEPARTMENT
P.O BOX 10500
McLean VA 22102

In re Application of :
Wanker et al. :
Application No. 10/589,276 :
PCT No.: PCT/EP05/01389 :
Int. Filing Date: 11 February 2005 :
Priority Date: 11 February 2004 : DECISION
Atty. Docket No.: 009848-0356193 :
For: Novel Pharmaceutical And Diagnostic :
Compositions For Use In The Treatment :
And Diagnosis Of Neurodegenerative :
Diseases Or Amyloid Diseases :

This is in response to the declaration filed on 04 September 2007.

BACKGROUND

This international application was filed on 11 February 2005, claimed an earliest priority date of 11 February 2004, and designated the U.S. The 30 month time period for paying the basic national fee in the United States expired at midnight on 11 August 2006. Applicants filed, *inter alia*, the basic national fee on 10 August 2006.

On 10 April 2007, a Notification of Missing Requirements (Form PCT/DO/EO/905) was mailed to applicants, requiring an oath or declaration compliant with 37 CFR 1.497(a) and (b), as well as \$230.00 in claims fees.

DISCUSSION

Inspection of the declaration filed on 04 September 2007 reveals that the names of Phoebe Harjes and Dagmar Litscher have been altered. MPEP 605.04(b) states in part that

Except for correction of a typographical or transliteration error in the spelling of an inventor's name, a request to have the name changed from the typewritten version to the signed version or any other corrections in the name of the inventor(s) will not be entertained, unless accompanied by a petition under 37 CFR 1.182 together with an appropriate petition fee.

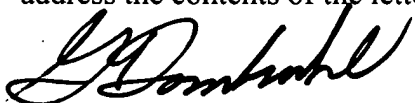
Since the change described above represents more than a mere typographic error or phonetic misspelling of applicant's name, a petition (and fee) under 37 CFR 1.182 is required. See also MPEP MPEP § 201.03(b). In the absence of such a petition, it would not be appropriate to accept the declaration at this time. It is noted that the declaration is defective for the further reason that the alterations were not initialed.

CONCLUSION

The declaration is **NOT ACCEPTED**, without prejudice.

A proper response must be filed within **TWO (2) MONTHS** from the mail date of this decision. Extensions of time may be obtained under 37 CFR 1.136(a). Failure to timely file a proper response will result in **ABANDONMENT**.

Please direct any further correspondence with respect to this matter to the Assistant Commissioner for Patents, Mail Stop PCT, P.O. Box 1450, Alexandria, VA 22313-1450, and address the contents of the letter to the attention of the Office of PCT Legal Administration.



George Dombroske
PCT Legal Examiner
Office of PCT Legal Administration
Tel: (571) 272-3283
Fax: (571) 273-0459